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4 **IN THE UNITED STATES DISTRICT COURT**
5 **FOR THE DISTRICT OF ARIZONA**

6 IN RE BARD IVC FILTERS
7 PRODUCTS LIABILITY LITIGATION

8 TERRY SNIDER,
9
10 Plaintiff,

11 v.

12 C. R. BARD and BARD PERIPHERAL
13 VASCULAR, INC.,

14 Defendants.

No. MD-15-02641-PHX-DGC

**SECOND AMENDED MASTER SHORT
FORM COMPLAINT FOR DAMAGES
FOR INDIVIDUAL CLAIMS AND
DEMAND FOR JURY TRIAL**

15 Plaintiff(s) named below, for their Complaint against Defendants named below,
16 incorporate the Master Complaint for Damages in MDL 2641 by reference (Doc. 364).

17 Plaintiff(s) further show the Court as follows:

18 1. Plaintiff/Deceased Party:

19 Terry Snider

20 2. Spousal Plaintiff/Deceased Party's spouse or other party making loss of
21 consortium claim:

22 Not Applicable

3. Other Plaintiff and capacity (i.e., administrator, executor, guardian, conservator):

Not Applicable

4. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of implant:

Michigan

5. Plaintiff's/Deceased Party's state(s) [if more than one Plaintiff] of residence at the time of injury:

Michigan

6. Plaintiff's current state(s) [if more than one Plaintiff] of residence:

Michigan

7. District Court and Division in which venue would be proper absent direct filing:

United States District Court Northern District of West Virginia

8. Defendants (check Defendants against whom Complaint is made):

☒ C.R. Bard Inc.

☒ Bard Peripheral Vascular, Inc.

9. Basis of Jurisdiction:

☒ Diversity of Citizenship

☐ Other: _____

a. Other allegations of jurisdiction and venue not expressed in Master Complaint:

Second Amended Case Management Order No. 4

10. Defendants' Inferior Vena Cava Filter(s) about which Plaintiff(s) is making a claim (Check applicable Inferior Vena Cava Filter(s)):

☐ Recovery[®] Vena Cava Filter

☒ G2[®] Vena Cava Filter

☐ G2[®] Express Vena Cava Filter

☐ G2[®] X Vena Cava Filter

☐ Eclipse[®] Vena Cava Filter

☐ Meridian[®] Vena Cava Filter

☐ Denali[®] Vena Cava Filter

☐ Other: _____

11. Date of Implantation as to each product:

11/29/2007_____

12. Counts in the Master Complaint brought by Plaintiff(s):

☒ Count I: Strict Products Liability – Manufacturing Defect

☒ Count II: Strict Products Liability – Information
Defect (Failure to Warn)

☒ Count III: Strict Products Liability – Design Defect

☒ Count IV: Negligence - Design

☒ Count V: Negligence - Manufacture

☒ Count VI: Negligence – Failure to Recall/Retrofit

- ☒ Count VII: Negligence – Failure to Warn
- ☒ Count VIII: Negligent Misrepresentation
- ☒ Count IX: Negligence *Per Se*
- ☒ Count X: Breach of Express Warranty
- ☒ Count XI: Breach of Implied Warranty
- ☒ Count XII: Fraudulent Misrepresentation
- ☒ Count XIII: Fraudulent Concealment
- ☒ Count XIV: Violations of Applicable Michigan Law Prohibiting

Consumer Fraud and Unfair and Deceptive Trade Practices

- ☐ Count XV: Loss of Consortium
- ☐ Count XVI: Wrongful Death
- ☐ Count XVII: Survival
- ☒ Punitive Damages
- ☐ Other(s): _____ (please state the facts supporting
this Count in the space immediately below)

13. Jury Trial demanded for all issues so triable?

- ☒ Yes

RESPECTFULLY SUBMITTED this 13th day of November, 2018.

By: /s/Thomas P. Cartmell
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I hereby certify that on this 13th day of November, 2018, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing.

/s/ David C. DeGreeff